

REMARKS

This Amendment, filed in reply to the Office Action dated August 17, 2006, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-12 and 18-51 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 102

Claims 1-2, 7-8, 18, 21, 24, 26-28, and 45-51 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Liang (U.S. Patent No. 5,579,031).

II. Claim Rejections under 35 U.S.C. § 103

Claims 3-6, 9-12, 19-20, 22-23, 25, 29-31, 33-35, 37-39 and 41-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang (U.S. Patent No. 5,579,031) in view of Keating (U.S. Patent No. 5,619,434).

Claims 32, 36, 40 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang (U.S. Patent No. 5,579,031) in view of Keating (U.S. Patent No. 5,619,434) and Dundas (U.S. Patent No. 5,604,567).

To expedite prosecution of this case, Applicant amends independent claims 1-2, 7-8, 18, 21 and 24 with the features of prior pending claims 50 and/or 51. Because this feature was previously pending before the Examiner with at least with regard to Claim 1, no new issues are raised and the claims should be deemed allowable.

As amended, claim 1 describes a conversion of first colorimetric data to second colorimetric data, wherein the conversion is a direct conversion between the first and second data and wherein the first and second colorimetric data are device-independent color spaces. The

Examiner previously rejected claim 51 (including the current recitations of amended claim 1), citing the Liang disclosure at col. 11, lines 38-47. However, the cited portion describes that the corrections factors dC, dY, and dM are produced in a correction generator 176. Col. 11, lines 36-38. This correction factor, in turn, is derived from a difference between Lab and L'a'b' signals. Col. 11, lines 48-50. The difference signals of the Lab comparison is used to calculate the correction factors dC, dY and dM. However, there is no disclosed conversion of the Lab data to the L'a'b' data and the Lab data of Liang. Rather, these data sets comprise two separate data derived from models 140, 142. Col. 11, lines 42-43. Liang specifically discloses that the data set Lab is not altered, in other words, not converted. Col. 11, lines 43-46. Rather, Lab is maintained so that successive corrections can be made based on a base data lab. See col. 11, lines 59-67. Therefore, Applicant submits that Liang fails to teach the first (device-independent) colorimetric data converted to a second (device independent) colorimetric data. To the extent there is conversion of data by adjustments to dC, dY and dM, these adjustments are made to a device-dependent space of CMY data. Therefore, claims 1-2 and 7-8 are patentable for at least these reasons.

With further regard to claims 18, 21 and 24, these claims describe a conversion based on ratios of first and second device-independent color spaces. The Examiner's reliance on the Lab to CMY conversion at col. 11 does not teach these features because CMY is a device dependent space. Moreover, Applicant submits that there is no Lab conversion taught in Liang for the reasons set forth above. Therefore, claims 18, 21 and 24 are patentable for this additional reason.

The remaining claims are patentable based on their dependency. The additional references of Keating and Dundas do not make up for the above deficiencies.

AMENDMENT UNDER 37 C.F.R. § 1.111
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With further regard to claims 32, 36, 40 and 44, these claims describe a color difference of recited range 1.5 - 2.0. Dundas relates to a gray balance system and thus does not inherently teach the color differences as claimed. The color balance adjustments would not necessarily result in the difference values claimed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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